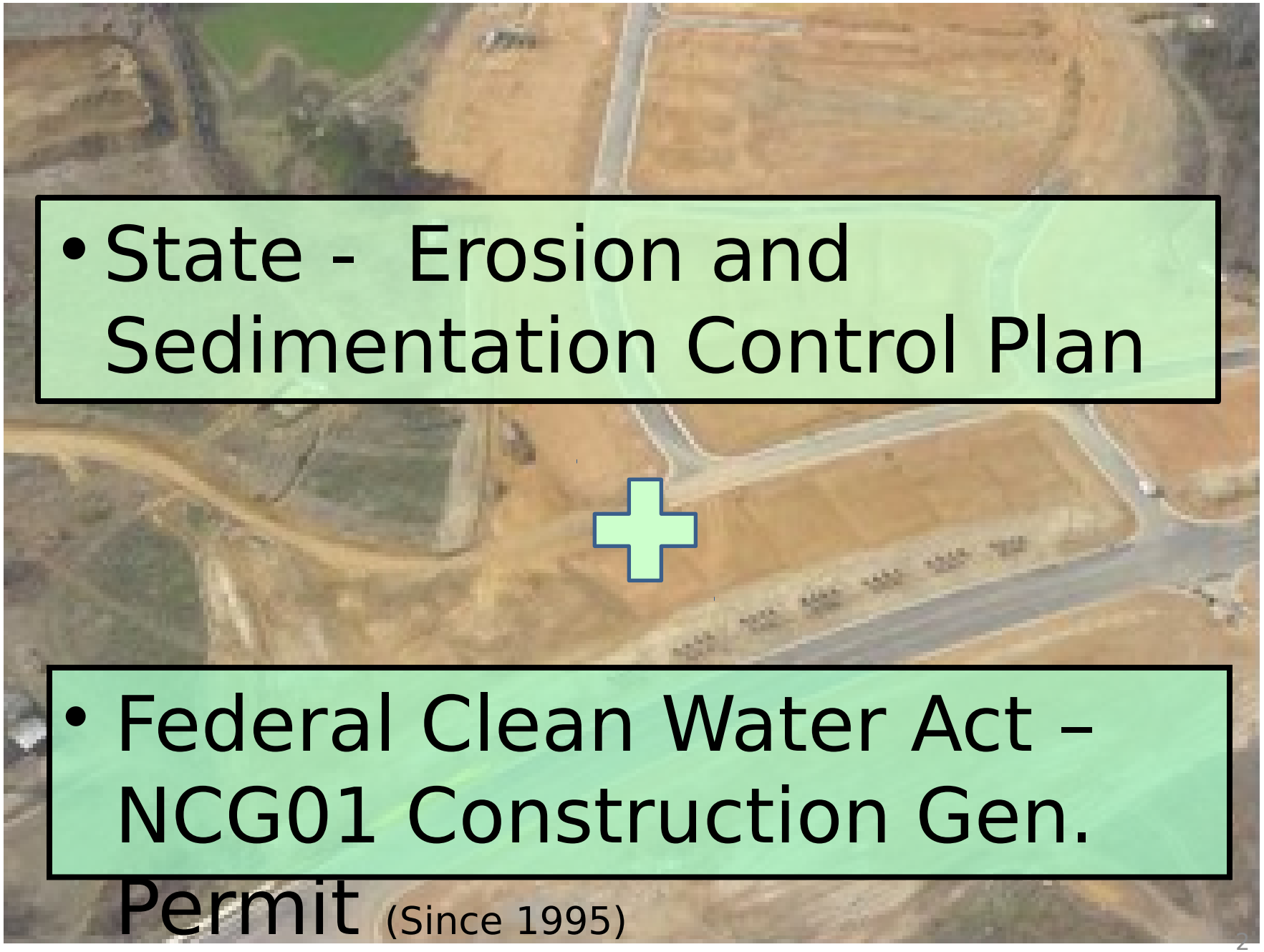
New Stormwater NPDES **Construction General Permit**

Effective August 3, 2011

Samir Dumpor, PE
Division of Water Quality



- State - Erosion and Sedimentation Control Plan

+

- Federal Clean Water Act – NCG01 Construction Gen. Permit (Since 1995)

NCG01 Permit Conditions

- **Comply with E&SC permit**
- **Weekly inspections/**
- **Rain gauge on site**
- **Report mud in streams**

How Did We Get to ELGs for Construction Activities?

EPA was sued by environmental groups

10 + years

2006 – Court ruled that EPA must promulgate ELGs for the construction industry by December of 2009

New!

ELGs published December 1, 2009

Federal Register

Tuesday,
December 1, 2009

EFFLUENT LIMITATIONS GUIDELINES (ELG)

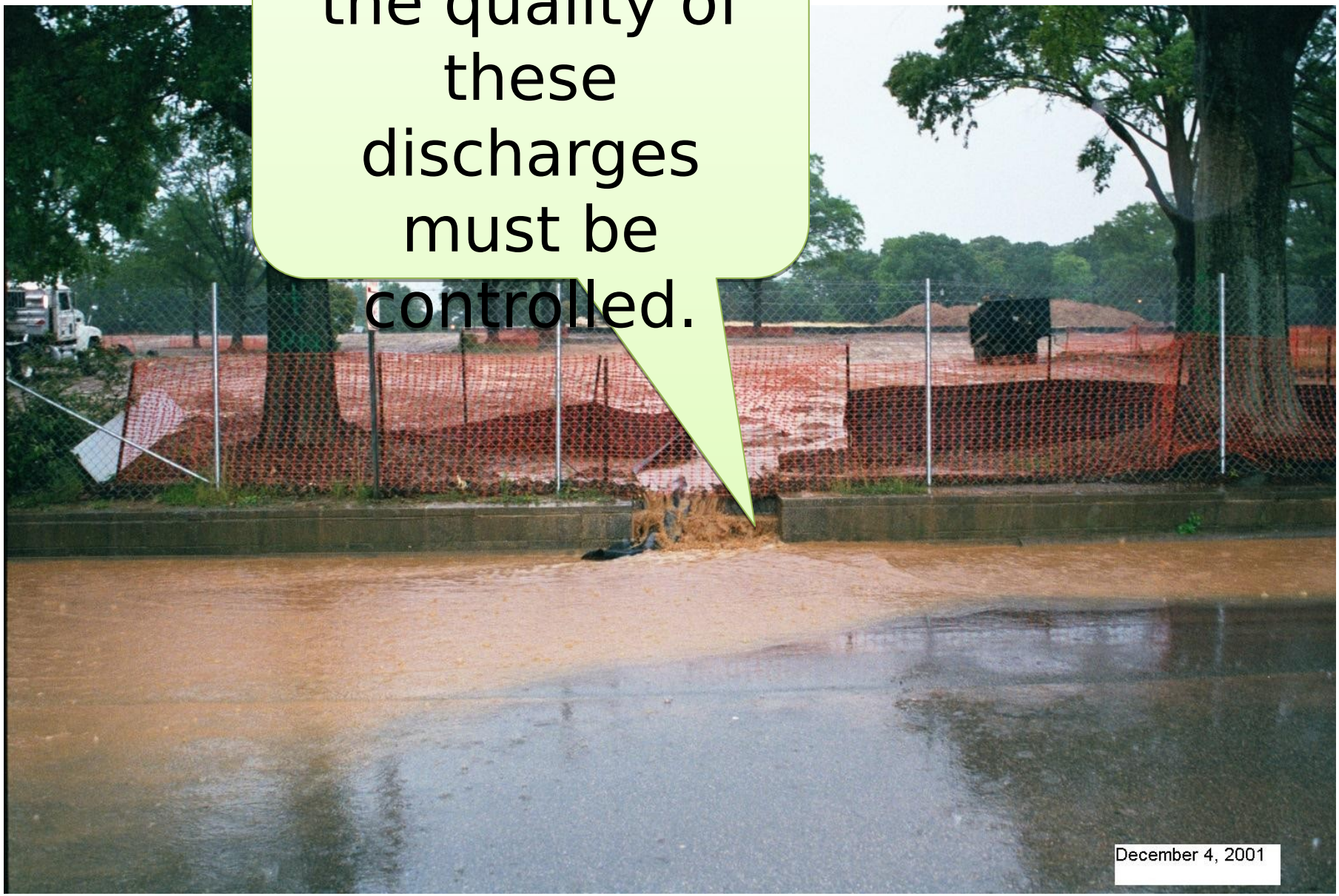
New!

Part III

Environmental Protection Agency

40 CFR Part 450
Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category; Final Rule

Court said that the quality of these discharges must be controlled.



STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER QUALITY

GENERAL PERMIT – NCG 010000

TO DISCHARGE STORMWATER UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
for

CONSTRUCTION ACTIVITIES

In compliance with the provision of North Carolina General Statute 143-215.1, other lawful standards and regulations promulgated and adopted by North Carolina Environmental Management Commission and the Federal Water Pollution Control Act as amended:

> All owners or operators of stormwater point source discharges associated with construction activities including clearing, grading or excavation activities resulting in the disturbance of land greater than or equal to one acre, or that are part of a common plan of development of that size, are hereby authorized to discharge stormwater to the surface waters of North Carolina or to a separate storm sewer system conveying stormwater to the surface waters in accordance with the terms and conditions set forth herein. Failure to receive coverage under this permit or violations of any of the conditions listed may result in assessment of state or federal civil or criminal penalties for each day of violation.

The General Permit shall become effective on August 3, 2011.
The General Permit shall expire at midnight on July 31, 2016.

Signed this day July 28th, 2011

Coleen H. Sullins, Director
Division of Water Quality
By the Authority of the Environmental Management Commission

FINAL PERMIT

- No Discharge Monitoring
- No Turbidity Limit

FINAL PERMIT

- **No Discharge Monitoring**
- **No Turbidity Limit**

Five-year Permit

What Does Permit Require?

1. Quicker Ground Stabilization

- Steep slopes + perimeter areas stabilized in 7 days.
- Remainder of site stabilized in 14

GROUND COVER HERE = 7 DAYS
August 4, 2009

GROUND COVER HERE = 7 DAYS
August 4, 2009

GROUND COVER HERE = 7 DAYS
GROUND COVER HERE = 14 DAYS

GROUND COVER WITHIN 14 DAYS
-except-

All perimeter slopes, swells & ditches = 7 days

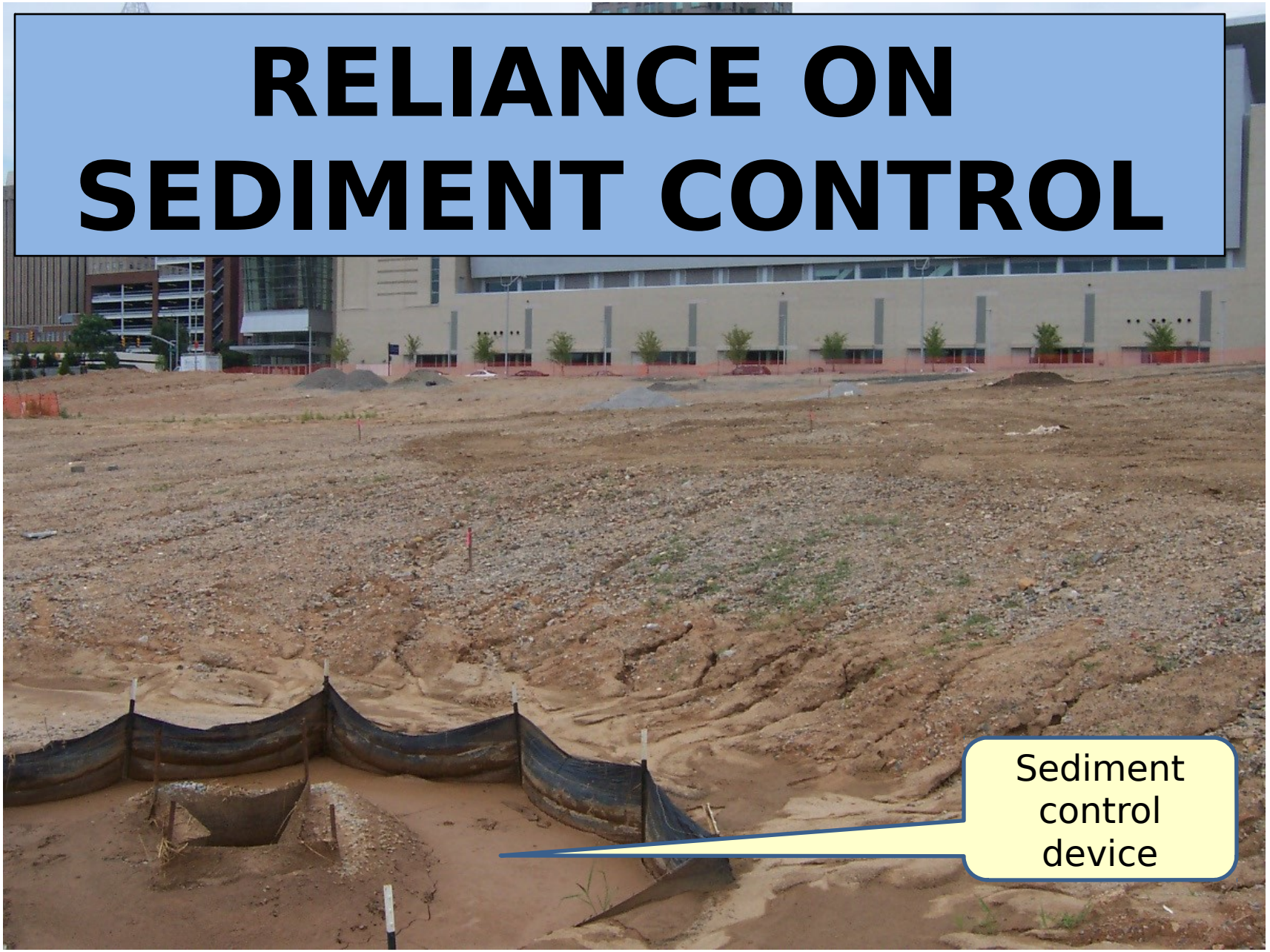
All slopes > 3:1 = 7 days except 10’ or less = 14 days

All slopes > 50’ = 7

Reliance on Erosion Control
OR
Rely on Downstream Sediment Control

Sedimen
nt
basins
09/10/2009

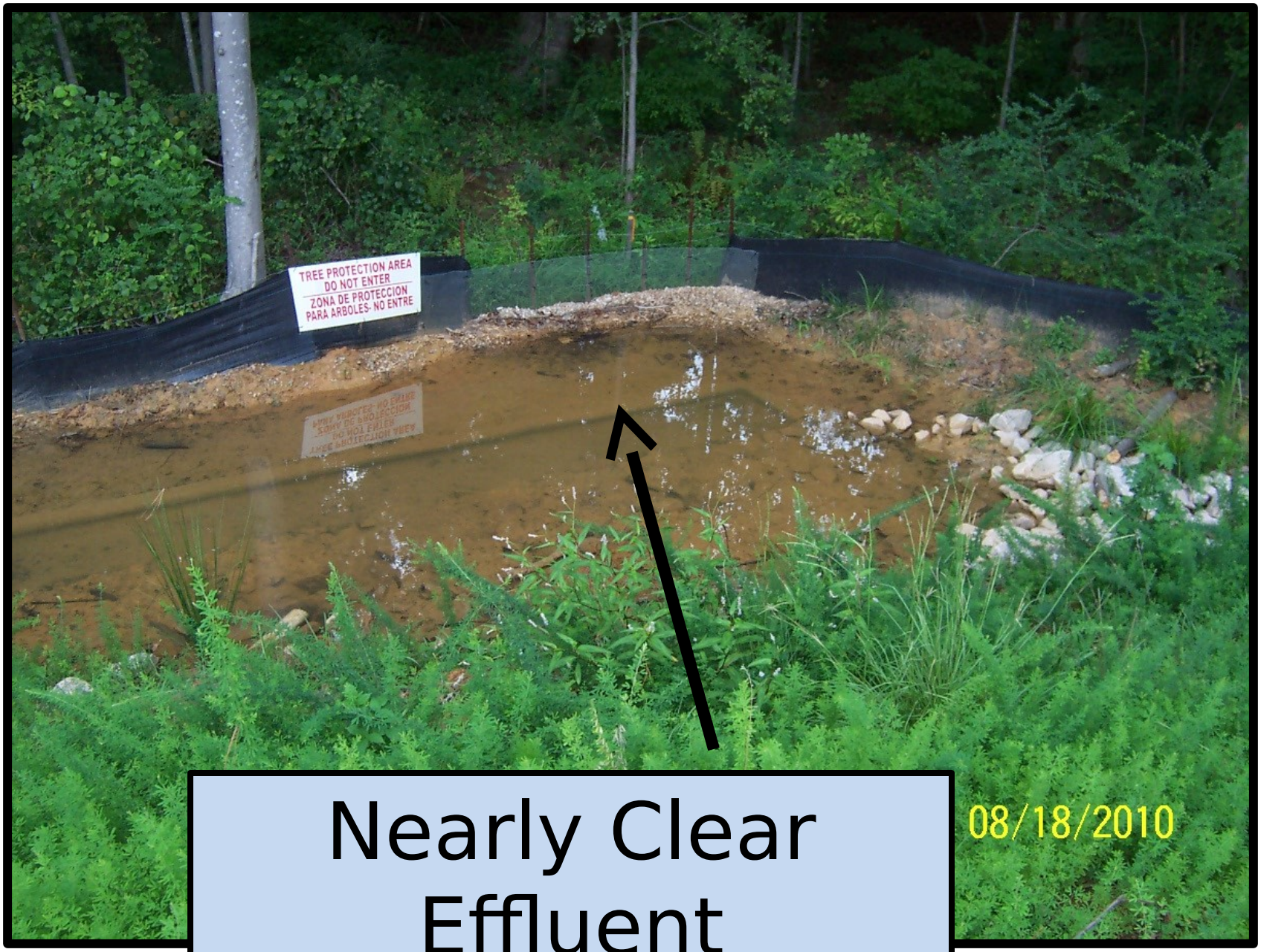
RELIANCE ON SEDIMENT CONTROL



RELIANCE ON EROSION CONTROL

Timely application of temporary ground cover can drastically reduce sediment discharge.

80-90%



Nearly Clear Effluent

MANY STATES FOCUS ON TEMPORARY GROUND COVER

FLORIDA

"Stabilization measures shall be initiated as soon as practicable, but in no case more than **7 days** where construction activities have temporarily or permanently ceased.

Wisconsin

"ESC plans required for all sites over 4,000 ft3. Temporary or permanent stabilization is required within **seven days**."

Maryland

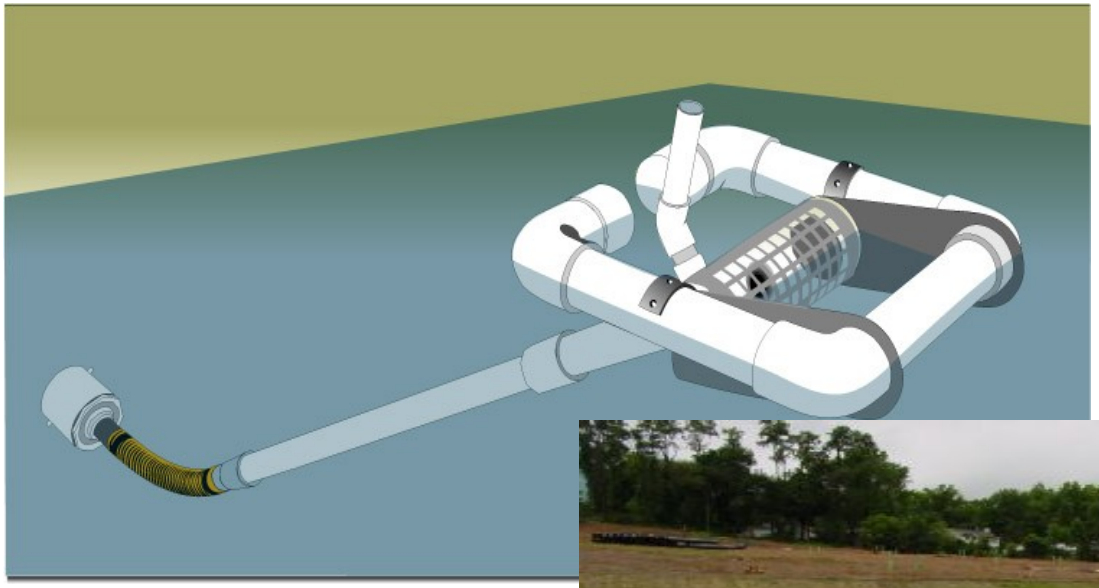
Ground cover within **7 days** – enacted 19 years ago

King Co. Washington

- “Temporary cover shall be installed if an area is to remain un-worked for more than **seven days** during the dry season or for more than **two days** during the wet season.“

2. Withdraw water from surface of pond

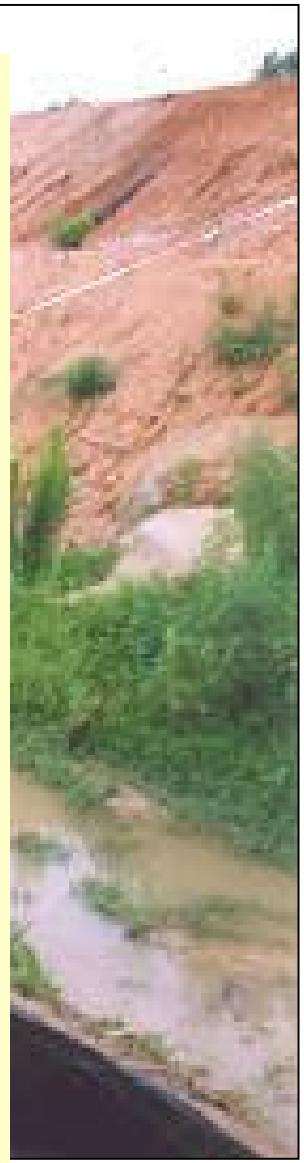
(except when drainage area < 1 acre)



USE SKIMMERS ON PONDS

3. LOCATION OF STOCK PILES, DEMOLITION DEBRIS, AND OTHER WASTES SOURCES

- 50’ away from streams and storm drains unless “no reasonable alternative” available



Continued Requirements

- **Weekly inspections/ Records**
  - Normal business hours”
- **Rain gauge on site**
- **Report mud in streams**

Who will implement new requirements?

N.C. Land Quality Section
Erosion &
Sediment Control
Dams
Mining
DIVISION OF WATER QUALITY
DWQ
Delegated
Local
Governme
nts

Local governments will instruct plan developers that:

- Plans must show areas where 7-day and 14-day ground cover applies.
- Plans must show locations of ponds with > 1 acre drainage area.

If plan does **not** include:

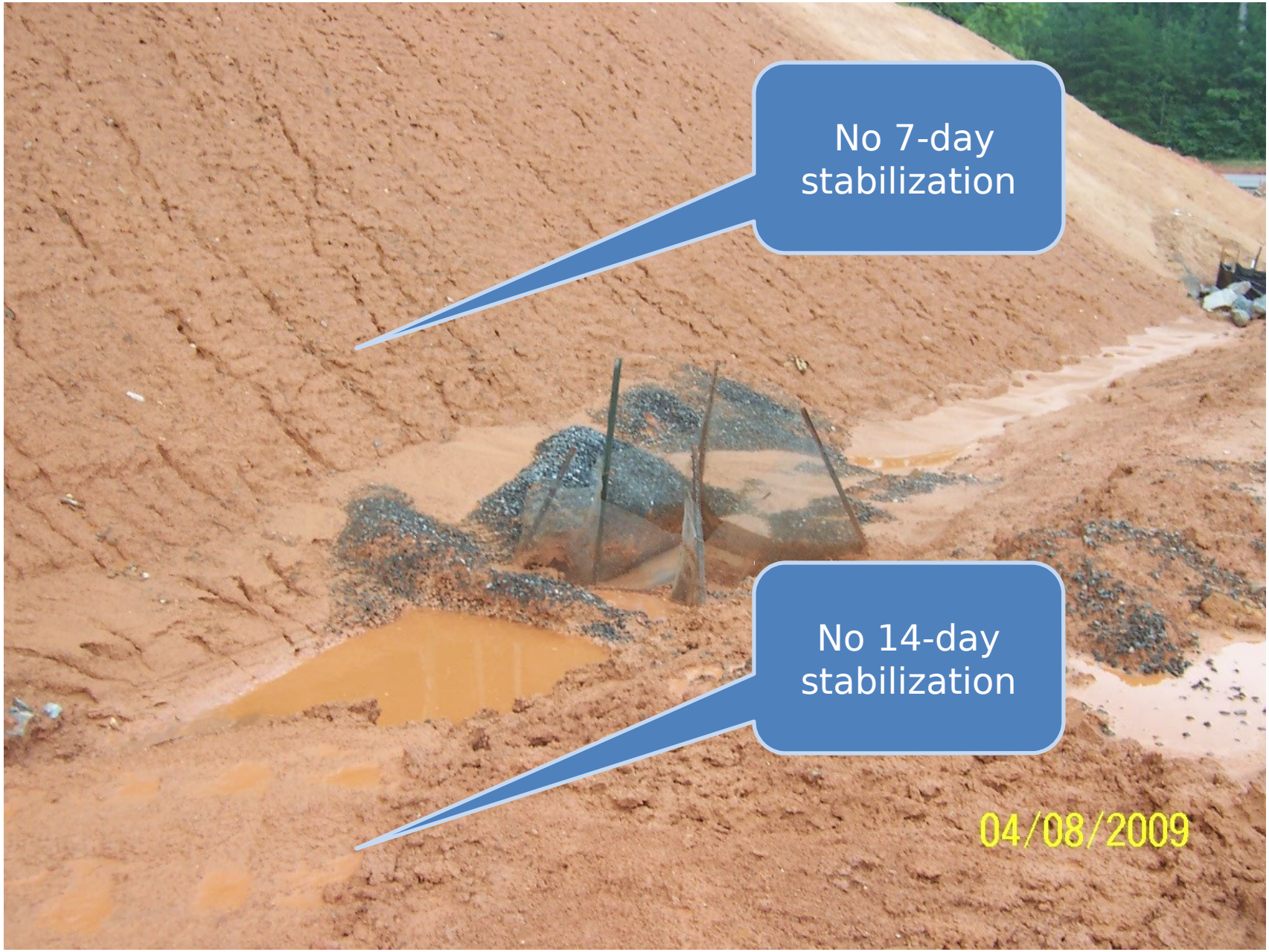
- 14-day stabilization areas
- 7-day stabilization areas
- Basins with >one acre drainage areas

"You DO NOT HAVE COVERAGE UNDER THE NPDES CONSTRUCTION STORMWATER GENERAL PERMIT and you are not allowed to discharge stormwater from the construction site."

WHO WILL ENFORCE?
04/08/2009

WHO WILL
ENFORCE
BMP
failure?
04/08/2009

WHO WILL ENFORCE?
BMP failure?
N.C. Land Quality Section
Erosion & Sediment Control
Dams
Mining
Delegated Local Governme nt
04/08/2009


No 7-day stabilization
No 14-day stabilization
04/08/2009

No 7-day stabilization
Regiona l Staff
DIVISION OF WATER QUALITY
DWQ
No 14-day stabilization
04/08/2009

BMP
failure?

BMP failure?
N.C. Land Quality Section
Erosion & Sediment Control
Dams
Mining
Delegated Local Governme nt

Water Quality Violation
Regional Staff
DIVISION OF WATER QUALITY
DWQ

Go to DWQ Home Page

"DWQ Hot Topics"

NEW Construction General Permit

http://portal.ncdenr.org/web/wq/ws/su/npdess

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Questions?